

REMARKS

Claims 1-9 and 11 are all the claims pending in the application. Claims 1, 7, 8, 9 and 11 are independent.

I. Claim Rejections Under 35 USC § 102

The Examiner rejected claims 1-4, 7-9 and 11 under 35 USC § 102(e) as being anticipated by Kung, et al. (US 2003/0133358), hereinafter Kung.

The Applicant submits that claims 1, 7, 8, 9 and 11 are not anticipated by Kung, as Kung fails to disclose a trigger packet that originates at a first terminal and causes a storage station on a network to supply a second terminal with information in the form of at least one data-packet.

In the Office Action, the Examiner refers to Figure 6 and paragraphs [0051] and [0058] of Kung as anticipating the elements of claims 1, 7, 8, 9 and 11, above, specifically stating that the “announcement server 220 receives control messages from the call manager 218; the call manager is configured to utilize signaling messages for example, Radius control messages to and/or from the broadband residential gateways 300.” However, the “signaling messages” such as Radius control messages cannot be equated with a trigger-packet, as the trigger-packet specifically causes information to be supplied from the storage station to the second terminal, as recited in claims 1, 7, 8, 9 and 11. In contrast, Kung fails to disclose that the “signaling messages” cause information to be supplied from the call manager 218 or announcement server 220 to a destination such as the broadband residential gateway 300. In fact, the listed example of a Radius control message is a known networking protocol that requests access to a network, and

clearly would not trigger information such as a data packet, as recited in claim 1, to be sent from a storage station to a terminal. Therefore, Kung does not disclose each and every element of claims 1, 7, 8, 9 and 11, as required for a rejection under 35 USC §102(b).

Finally, the Applicant notes that Kung generally is directed to a call waiting system designed to provide handling of unlimited calls concurrently. The communication described in Kung is therefore directed to providing announcements to a recipient regarding the number and nature of incoming calls. In contrast, the invention described in the pending claims is directed to providing additional services in a VoIP call environment by storing information at a storage station so a caller at a first terminal can quickly and easily supply information from the storage station to a called party at a second terminal. The caller at the first terminal sends a trigger packet in order to initiate the sending of the information at the storage station to the called party. Kung has no need for a trigger packet, as Kung does not have any need for the calling party to trigger the sending of information to the server or another caller. Kung is directed to passively receiving information about an incoming call and sending an announcement to a recipient, but at no point does Kung send a trigger packet from the calling party to the server in order to trigger information being sent to the called party.

For at least these reasons, the Applicant submits that Kung does not anticipate each and every element of claims 1, 7, 8, 9 and 11. Furthermore, the Applicant submits that claims 2-6 are allowable at least based on their dependency to claim 1. Therefore, the Applicant requests the rejections of claims 1-4, 7-9 and 11 under 35 USC §102(b) be withdrawn.

II. Claim Rejections Under 35 USC § 103

The Examiner rejected claims 5-6 under 35 USC § 103(a) as being unpatentable over Kung in view of Girard (US 2002/1076404), hereinafter Girard.

The Applicant refers the Examiner to the arguments presented above regarding claim 1, and submits that claims 5 and 6 are allowable at least based on their dependency to claim 1.

Specifically with regard to claim 6, the Applicant submits that neither Kung nor Girard, taken alone or in combination, teach sending a trigger packet from a first terminal to a second terminal, where the second terminal, in response to the trigger packet, generates a further trigger packet to be sent via an Internet Protocol during a call to the storage station, *such that the trigger-packet comprises an indication for selecting at least one information part to be supplied during said call to said second terminal*. None of the signaling referenced by the Examiner in Fig. 6-7 or para. [0161] – [0163] of Kung disclose a trigger-packet that causes information to be sent from a storage station to the second terminal. Even if the Applicant assumes, *arguendo*, that the code entered by the subscriber to place an ongoing call onto the call waiting queue is a “trigger packet” sent to the network (*Office Action*, p. 6, para. 1), Kung still fails to disclose where that code then causes information to be sent from a storage station back to the second terminal that generated the further trigger-packet. Therefore, neither Kung nor Girard teach, disclose or provide any motivation for the second terminal to generate a further trigger-packet that comprises an indication for selecting at least one information part to be supplied during said call to said second terminal, as described in claim 6.

For at least these reasons, the Applicant respectfully requests that the rejection of claims 5-6 under 35 USC §103(a) be withdrawn.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Scott H. Davison/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Scott H. Davison
Registration No. 52,800

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